Express Mail No.: DRAFT

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: Sommadossi, et al.

Confirmation No.:

8101

Serial No.:

10/607,909

Art Unit:

1623

Filed:

June 27, 2003

Examiner:

Travis C. McIntosh III

For:

2'-C-METHYL-3'-O-L-VALINE

Attorney Docket

11874-026-999

ESTER RIBOFURANOSYL CYTIDINE FOR TREATMENT No.:

(417451-999026) IDX 1031

OF FLAVIVIRIDAE

**INFECTIONS** 

#### TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Petitioner ADOLFO LAI represents that he holds the position of PRORETTORE of Universita Degli Studi Di Cagliari, the assignee of less than the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on October 19, 2006 at reel 018411 frame 0957.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of the patent granted on U.S. Patent Application No. 10/609,298, filed June 27, 2003 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent granted on U.S. Patent Application No. 10/609,298.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the aboveidentified application prior to the expiration date of the full statutory term of the patent granted on U.S. Patent Application No. 10/609,298 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole



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No.:

(417451-999026)

CYTIDINE FOR TREATMENT OF FLAVIVIRIDAE

INFECTIONS

IDX 1031

#### TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Petitioner Jean-Pierre Sommadossi represents that he holds the position of President and Chief Executive Officer of Idenix Pharmaceuticals, Inc., the assignee of less than the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on October 19, 2006 at reel 018411 frame 0831.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of the patent granted on U.S. Patent Application No. 10/609,298, filed June 27, 2003 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent granted on U.S. Patent Application No. 10/609,298.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the aboveidentified application prior to the expiration date of the full statutory term of the patent granted on U.S. Patent Application No. 10/609,298 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole

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or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Idenix Pharmaceuticals, Inc.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this Way of September 2007.

Idenix Pharmaceuticals, Inc.

By:

Name: Jean-Pierre Sommadossi

Position: President and Chief Executive Officer

OCT 26 2007

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ESTER RIBOFURANOSYL

No.:

(417451-999026)

CYTIDINE FOR TREATMENT

CNRS ref.:

85256-09

OF FLAVIVIRIDAE

Idenix ref.:

IDX 1031

**INFECTIONS** 

### TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Petitioner Frederic Foubert represents that he holds the position of Directeur du Service du Transfert de Technologies of Centre National De La Recherche Scientifique, the assignee of less than the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on March 22, 2007 at reel 019052 frame 0892.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of the patent granted on U.S. Patent Application No. 10/609,298, filed June 27, 2003 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent granted on U.S. Patent Application No. 10/609,298.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the aboveidentified application prior to the expiration date of the full statutory term of the patent granted on U.S. Patent Application No. 10/609,298 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole

IDENIX DI 85-256-09

or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Centre National De La Recherche Scientifique.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this	day of	, 2007.

Centre National De La Recherche Scientifique

Ву: \_\_\_\_\_\_

Name: Frederic Foubert

Position: Directeur du Service du Transfert de

Technologies

Directeur du Service du Transfert de

, 1 0 SEP. 2007

Frédéric FOURERT

Directeur de la Jolitique Industrielle

Mac J. LEDOUX